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UNITED NATIONS COMMON SYSTEM

Report of the Fifth Committee

Rapporteur: Mr. Larbi DJACTA (Algeria)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 23 September 1994, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-ninth session the item entitled "United Nations common system" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 18th, 20th, 21st, 23rd, 24th and 31st meetings, on 14, 17, 21, 23 and 28 November and on 9 December 1994. Comments made in the course of the Committee's discussion of the item are reflected in the relevant summary records (A/C.5/49/SR.18, 20, 21, 23, 24 and 31).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the International Civil Service Commission for the year 1994; 1/

(b) Report of the Secretary-General on decisions of administrative tribunals (A/49/480);

1/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 30 (A/49/30).

(c) Statement submitted by the Secretary-General on the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission (A/C.5/49/7);

(d) Note by the Secretary-General transmitting a statement adopted by the Administrative Committee on Coordination at its second regular session of 1994 (A/C.5/49/10);

(e) Note by the Secretary-General transmitting comments by the Federation of International Civil Servants' Associations (A/C.5/49/33).

4. At the 18th meeting, on 14 November, the Chairman of the International Civil Service Commission introduced the annual report of the Commission and the Assistant Secretary-General for Human Resources Management introduced the report of the Secretary-General on decisions of administrative tribunals (see A/C.5/49/SR.18).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/49/L.7

5. At the 31st meeting, on 9 December, the representative of Austria introduced and orally amended a draft resolution entitled "United Nations common system: report of the International Civil Service Commission" (A/C.5/49/L.7), submitted by the Chairman of the Committee on the basis of informal consultations.

6. At the same meeting, the Committee adopted draft resolution A/C.5/49/L.7, as orally amended, without a vote (see para. 9).

7. After the adoption of the draft resolution, the representative of the Russian Federation made a statement (see A/C.5/49/SR.31).

8. At the same meeting, the Chairman of the Committee informed the Committee of the contents of a letter he had received from the President of the Federation of International Civil Servants' Associations (see A/C.5/49/SR.31).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

9. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations common system: report of the International Civil Service Commission

The General Assembly,

Having considered the twentieth annual report of the International Civil Service Commission 2/ and other related reports, 3/

Reaffirming its commitment to a single unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

Mindful of the critical role exercised by the Commission in accordance with its statute in developing common personnel standards, methods and arrangements across the United Nations common system, which are essential for management reforms,

I

ROLE OF THE COMMISSION

Recalling section I of its resolution 46/191 A of 20 December 1991 and section I.A of its resolution 47/216 of 23 December 1992, in which it urged the governing bodies and the executive heads of all organizations of the common system to ensure that the International Civil Service Commission was invited in its own right to be represented at meetings where proposals pertaining to salaries, allowances, benefits and other conditions of employment were to be discussed,

1. Notes with regret in this regard that the International Labour Organization did not consult the International Civil Service Commission before putting forward a proposal on personal promotions;

2. Regrets also the recent decision of the Food and Agriculture Organization of the United Nations, which was not in line with the decision of the Commission, and calls upon all the concerned governing bodies to adhere to the obligations of their organizations towards the common system;

3. Reiterates its request to the executive heads of the organizations of the common system to consult with the Commission and the United Nations Joint Staff Pension Board prior to putting forward the proposals of their respective governing bodies relating to conditions of service, in order to avoid action inconsistent with the common system of salaries, allowances and other conditions of service, and to make every effort to enable representatives of the Commission to present the view of that body on such questions to any relevant intergovernmental bodies;

2/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 30 (A/49/30).

3/ A/49/480, A/C.5/49/7, A/C.5/49/10 and A/C.5/49/33.

II

STAFF PARTICIPATION IN THE WORK OF THE COMMISSION

Recalling section II of its resolution 43/226 of 21 December 1988, section I.B of its resolution 47/216 and section I of its resolution 48/224 of 23 December 1993, in which it regretted the suspension of the participation of staff bodies in the work of the International Civil Service Commission,

Recalling also section II, paragraph 2, of its resolution 45/241 of 21 December 1990, in which it expressed satisfaction with the establishment of a more active dialogue between the Commission and representatives of organizations and of staff, section I, paragraph 5, of its resolution 46/191 A, in which it took note with appreciation of the improvements that had taken place in the functioning of the Commission, and section I of its resolution 48/224, in which it noted that the changes introduced in the working methods of the Commission had resulted in the full participation of the Coordinating Committee for International Staff Unions and Associations in the work of the Commission,

Noting that the framework for the participation of the representatives of the organizations and staff in the work of the Commission is provided under article 29, paragraph 2, of the statute of the Commission and elaborated further in its rules of procedure,

Noting also the information contained on this matter in chapter I.E of the report of the Commission, 2/

1. Notes the views expressed by the representatives of Member States in the Fifth Committee on this matter;

2. Notes with concern that the representatives of the Federation of International Civil Servants' Associations have informed it of their intention to recommend suspending participation in the work of the International Civil Service Commission;

3. Notes further the concerns expressed by the Coordinating Committee for Independent Staff Unions and Associations in respect of the working methods of the Commission;

4. Endorses the decision of the Commission to consider, at its next session, all questions raised by the Coordinating Committee for Independent Staff Unions and Associations and the Federation of International Civil Servants' Associations at the fortieth session of the Commission, and requests the Commission to report thereon to the General Assembly;

5. Requests the staff bodies, the organizations and the Commission to review with all urgency how the consultative process of the Commission can best be furthered and to report thereon to the General Assembly;

III

CONDITIONS OF SERVICE OF THE PROFESSIONAL AND HIGHER CATEGORIES

A. Comparator

Recalling section VI of its resolution 46/191 A, in which it invited the International Civil Service Commission to analyse the potential consequences of the Federal Employees Pay Comparability Act of 1990 on the pay levels of the current comparator, the federal civil service of the United States of America, and to provide full details of all the special pay systems which have been introduced by the comparator civil service,

Recalling also section II.C of its resolution 47/216, in which it requested the Commission to complete phase I of its study leading to the identification of the highest paid civil service and to study all aspects of the application of the Noblemaire principle with a view to ensuring the competitiveness of the United Nations common system,

Recalling further section II.G, paragraph 2, of its resolution 47/216, in which it decided to revert to the consideration of the conditions of service, including the question of representation allowances, of assistant secretaries-general and under-secretaries-general and equivalent levels at the earliest possible opportunity,

Acknowledging that the common system must be a competitive employer in order, inter alia, to equip it to make the necessary management reforms,

1. Notes with regret that the International Civil Service Commission has not yet completed the studies on all aspects of the application of the Noblemaire principle and all other related studies;

2. Requests the Commission to proceed with all urgency with its study of all aspects of the application of the Noblemaire principle and all other related studies which are outstanding and to submit final recommendations to the General Assembly at the earliest opportunity;

3. Takes note of the Commission's report in respect of developments pertaining to the comparator's Federal Employees Pay Comparability Act and the comparator's special pay systems;

4. Also takes note of the Commission's decision to proceed to a phase II study of the national civil services of Germany and Switzerland in the context of determining the highest paid national civil service;

B. Margin considerations

Recalling section IX of its resolution 46/191 A, in which it requested the International Civil Service Commission to include in its work programme a review of the differences between the United Nations and the United States net remuneration at individual grade levels,

Recalling also section II.G of its resolution 47/216, in which it invited the Commission to keep under review the structure of the salary scale at all levels of the Professional and higher categories, taking into account, inter alia, the overall level of the margin as established by the General Assembly and the imbalance between the margin levels for different Professional grade levels,

Recalling further section II.B, paragraph 3, of its resolution 48/224, wherein it considered that the Commission should address the imbalance in the United Nations/United States remuneration ratio in the context of overall margin considerations,

1. Takes note of the conclusions of the International Civil Service Commission set out in paragraph 171 of its report 2/ in respect of the further refinements to margin calculations;

2. Also takes note of the net remuneration margin of 113 for the calendar year 1994;

C. Base/floor salary scale

Recalling section I.H, paragraph 1, of its resolution 44/198 of 21 December 1989, in which it approved the establishment of a floor net salary level by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service,

Recalling also section II.C, paragraph 2, of its resolution 48/224, in which it requested the International Civil Service Commission to review and, if necessary, recommend revised rates of staff assessment consequential upon changes in the base/floor salary scale,

Approves, with effect from 1 March 1995, the revised scale of gross and net salaries for staff in the Professional and higher categories contained in annex I to the present resolution and the consequential amendment to the Staff Regulations of the United Nations as reflected in annex II to the present resolution;

D. Dependency allowances

Recalling section II.F, paragraph 2, of its resolution 47/216, in which it noted that the International Civil Service Commission would review the level of dependency allowances every two years,

Noting the Commission's review of dependency allowances reflecting relevant changes in tax abatement and social legislation at the seven headquarters duty stations since 1991, as contained in paragraphs 182 to 192 of its report, 2/

1. Approves, with effect from 1 January 1995, an increase of 10.26 per cent in the levels of the children's and the secondary dependant's allowances;

2. Notes the updated list of hard currency duty stations for which the allowances are specified in local currency contained in annex III to the present resolution;

IV

GENERAL SERVICE AND OTHER LOCALLY RECRUITED CATEGORIES

A. General Service salary survey methodology

Recalling section III, paragraph 1, of its resolution 47/216, in which it endorsed the reaffirmation by the International Civil Service Commission of the Flemming principle as the basis for determining the conditions of service of the General Service and related categories,

Noting that the Commission intends to continue its preliminary study of the methodologies for the surveys of the best prevailing conditions of employment at headquarters and non-headquarters duty stations,

1. Requests the International Civil Service Commission to proceed with the current round of surveys at headquarters duty stations as planned on the basis of the current General Service salary survey methodology, and urges all parties concerned to participate in the surveys;

2. Endorses the decision of the Commission that a comprehensive review of the application of the methodology should be undertaken upon completion of the current round of surveys at headquarters duty stations;

3. Requests the Commission, in its review of the General Service salary survey methodology, to consult fully with all parties concerned, including the staff representatives;

B. National Professional Officers

Recalling paragraph 69 of its resolution 3176 (XXVIII) of 17 December 1973, in which it invited the organizations of the United Nations system to invigorate the search for innovative and interdisciplinary approaches aiming at the removal of the causes of underdevelopment and at the strengthening of the economic and social structures and the cadres of trained personnel of developing countries for their own development,

Noting that, as a response, a number of organizations had employed National Professional Officers and that, in 1980, the International Civil Service Commission agreed to the employment of such staff under a defined set of conditions, 4/

Noting also that organizations were increasingly resorting to the employment of such staff,

1. Takes note with appreciation of the conclusions reached by the International Civil Service Commission in respect of the employment of National Professional Officers and the revision of the conditions laid down in 1980;

2. Agrees to the revised criteria for the employment of National Professional Officers outlined in annex VI to the report of the Commission; 2/

3. Takes note of the Commission's intention to review the use of National Professional Officers on a regular periodic basis and requests the Commission to report thereon to the General Assembly;

V

EDUCATION GRANT

Recalling section IV, paragraph 1, of its resolution 47/216, in which it endorsed the revised methodology for the determination of the education grant,

Approves increases in the maximum reimbursement levels in seven currency areas as well as other adjustments to the management of the reimbursement of expenses under the education grant, as recommended by the International Civil Service Commission in paragraph 273 of its report; 2/

VI

HAZARD PAY

Commending the dedication of increasing numbers of staff of the United Nations common system who are required to work in dangerous conditions,

1. Takes note of the decisions of the International Civil Service Commission in respect of hazard pay as contained in paragraphs 288 to 291 of its report; 2/

2. Requests the Commission to reconsider its decision to link hazard pay to the base/floor salary scale for internationally recruited staff and its decision on the level of hazard pay and to propose alternative approaches to hazard pay and to report thereon to the General Assembly at its fifty-first session;

4/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 30 (A/35/30), para. 310.

VII

PERFORMANCE MANAGEMENT

Recalling section I.F of its resolution 44/198 and section VIII of resolution 46/191 A, in which it invited the Commission to pursue its review of merit systems and performance appraisal in the common system as a vehicle for enhancing productivity and cost-effectiveness,

Recalling also section VII of its resolution 47/216, in which it urged the International Civil Service Commission to give attention in its work programme to measures designed to promote sound personnel management in the international public service,

Recalling further section V, paragraph 2, of its resolution 48/224, in which it urged the Commission to devote further attention to personnel management issues,

1. Welcomes the review of performance management undertaken by the International Civil Service Commission as contained in chapter VII of its report and the elaboration of principles and guidelines for performance appraisal and management and for the recognition of different levels of performance outlined in annex VIII to its report; 2/

2. Reaffirms the key importance of performance appraisal and management to enhanced organizational effectiveness;

3. Takes note with interest of the conclusions and recommendations of the Commission in this regard and commends them to the organizations of the common system in the development of their policies and programmes in this area;

4. Urges the organizations of the common system that have not already done so to give high priority to the development of viable performance management programmes, including performance appraisal systems in the broader context of personnel reform;

VIII

SPOUSE EMPLOYMENT

Recalling the recommendation of the International Civil Service Commission in 1988, 5/ which it reaffirmed in 1992, 6/ that organizations that had not already done so should amend their staff rules to permit the employment of spouses,

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5/ Ibid., Forty-third Session, Supplement No. 30 (A/43/30), para. 91 (d).

6/ Ibid., Forty-seventh Session, Supplement No. 30 (A/47/30), para. 296 (h).

Encourages all organizations of the common system to allow spouses the opportunity to compete for positions within the organizations, bearing in mind the necessity to ensure that preference is not given by virtue of the relationship to a staff member;

IX

APPOINTMENTS OF LIMITED DURATION

Recalling its request to the International Civil Service Commission in June 1994 to provide views on the proposal by the United Nations to develop arrangements for contracts of limited duration,

Notes the preliminary conclusions of the International Civil Service Commission contained in paragraphs 366 and 367 of its report, 2/ and requests the Commission to report its findings on the arrangements for contracts of limited duration to the General Assembly upon completion of its study;

X

DECISIONS OF ADMINISTRATIVE TRIBUNALS

Recalling section VI, paragraph 7, of its resolution 48/224, in which it requested the Secretary-General, in consultation with the executive heads of the organizations of the common system, to examine the feasibility of amending the statute of the International Civil Service Commission and/or the relationship agreements with a view to ensuring a coordinated response in all appeals involving the conditions of service of staff of the common system and introducing arrangements to enable the Commission to intervene in appeals before the United Nations Administrative Tribunal and the Administrative Tribunal of the International Labour Organization involving decisions or recommendations of the Commission on any other common system issues,

1. Takes note of the report of the Secretary-General on decisions of administrative tribunals; 7/

2. Requests the Secretary-General to consult the United Nations Administrative Tribunal with a view to introducing an amendment to its rules, reading:

> "If, in any proceeding, it appears that the judgement of the Tribunal may affect a rule, decision or scale of emoluments or contributions of the common system of staff administration, the Executive Secretary of the Tribunal shall promptly inform the Executive Secretary of the International Civil Service Commission and enquire whether the Commission wishes to participate in the proceeding. If the Commission indicates its wish to do so, it shall be provided with copies of all the pleadings and shall be permitted to comment thereon, and also to participate in any oral proceedings.";

7/ A/49/480.

3. Requests the Director-General of the International Labour Organization to consult its Administrative Tribunal with a view to introducing an amendment to its rules, reading:

"If, in any proceeding, it appears that the judgement of the Tribunal may affect a rule, decision or scale of emoluments or contributions of the common system of staff administration, the Registrar of the Tribunal shall promptly inform the Executive Secretary of the International Civil Service Commission and inquire whether the Commission wishes to participate in the proceeding. If the Commission indicates its wish to do so, it shall be provided with copies of all the pleadings and shall be permitted to comment thereon, and also to participate in any oral proceedings."

ANNEX I

Gross base salaries

PROPOSED BASE/FLOOR SALARY SCALE FOR THE PROFESSIONAL AND HIGHER CATEGORIES: ANNUAL GROSS SALARIES AND NET EQUIVALENTS AFTER APPLICATION OF STAFF ASSESSMENT a/

(United States dollars)

	Steps														
Level	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
Under-Secretary-General															
USG Gross	145 236														
Net D	93 735														
Net S	84 232														
Assistant Secretary-General															
ASG Gross	131 617														
Net D	85 972														
Net S	77 763														
Director															
D-2 Gross	107 062	109 482	111 934	114 394	116 855	119 317									
Net D	71 946	73 349	74 752	76 154	77 558	78 961									
Net S	66 026	67 236	68 414	69 582	70 751	71 921									
Principal Officer															
D-1 Gross	94 299	96 371	98 442	100 510	102 581	104 653	106 724	108 795	110 880						
Net D	64 544	65 745	66 946	68 146	69 347	70 549	71 750	72 951	74 152						
Net S	59 645	60 680	61 716	62 750	63 786	64 821	65 857	66 893	67 913						
Senior Officer															
P-5 Gross	82 807	84 650	86 492	88 335	90 181	92 053	93 927	95 802	97 674	99 548	101 423	103 295	105 170		
Net D	57 806	58 893	59 981	61 068	62 155	63 241	64 328	65 415	66 501	67 588	68 675	69 761	70 848		
Net S	53 611	54 606	55 601	56 596	57 585	58 522	59 459	60 396	61 332	62 269	63 206	64 143	65 080		
First Officer															
P-4 Gross	67 706	69 475	71 240	73 005	74 774	76 565	78 362	80 159	81 955	83 751	85 546	87 346	89 141	90 954	92 782
Net D	48 824	49 885	50 944	52 003	53 064	54 123	55 183	56 244	57 304	58 363	59 422	60 484	61 543	62 603	63 664
Net S	45 413	46 378	47 342	48 306	49 271	50 240	51 210	52 181	53 151	54 120	55 090	56 062	57 031	57 972	58 886
Second Officer															
P-3 Gross	54 837	56 463	58 097	59 727	61 361	62 993	64 624	66 279	67 938	69 599	71 258	72 917	74 576	76 256	77 945
Net D	40 997	41 993	42 989	43 983	44 980	45 975	46 971	47 967	48 963	49 959	50 955	51 950	52 946	53 941	54 938
Net S	38 291	39 197	40 104	41 009	41 915	42 821	43 727	44 633	45 539	46 446	47 352	48 258	49 164	50 073	50 985
Associate Officer															
P-2 Gross	43 754	45 131	46 543	47 957	49 369	50 783	52 197	53 609	55 026	56 485	57 943	59 405			
Net D	33 990	34 882	35 772	36 663	37 553	38 443	39 334	40 224	41 116	42 006	42 895	43 787			
Net S	31 914	32 730	33 539	34 349	35 158	35 969	36 779	37 588	38 399	39 209	40 018	40 830			
Assistant Officer															
P-1 Gross	32 951	34 212	35 492	36 809	38 125	39 440	40 760	42 075	43 391	44 708					
Net D	26 907	27 764	28 620	29 476	30 331	31 186	32 044	32 899	33 754	34 610					
Net S	25 412	26 208	26 997	27 781	28 564	29 347	30 132	30 915	31 698	32 481					

D = Rate applicable to staff members with a dependent spouse or child.

S = Rate applicable to staff members with no dependent spouse or child.

a/ Excluding post adjustment amounts, if applicable.

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ANNEX II

Amendments to the Staff Regulations of the United Nations

Regulation 3.3

Replace the second table in paragraph (b) (i) with the following table:

Total assessable payments (United States dollars)	Staff assessment rates used in conjunction with gross base salaries	
	Staff member with a dependent spouse or a dependent child	Staff member with neither a dependent spouse nor a dependent child
First $15 000 per year	9.0	12.4
Next $ 5 000 per year	21.0	26.9
Next $ 5 000 per year	25.0	30.3
Next $ 5 000 per year	29.0	34.6
Next $ 5 000 per year	32.0	36.9
Next $10 000 per year	35.0	40.5
Next $10 000 per year	37.0	42.7
Next $10 000 per year	39.0	44.5
Next $10 000 per year	40.0	45.4
Next $15 000 per year	41.0	46.0
Next $20 000 per year	42.0	50.0
Remaining assessable payments	43.0	52.5

ANNEX III

Amounts of children's and secondary dependant's allowance

(Local currency)

Country	Currency	Children's allowance	Secondary dependant's allowance
Austria	Schilling	22 834	8 435
Belgium	Belgian franc	56 721	18 140
Denmark	Danish krone	10 661	3 082
France	French franc	8 195	2 719
French Guiana	French franc	8 195	2 179
Germany	Deutsche mark	3 278	1 176
Ireland	Irish pound	925	303
Japan	Yen	322 196	146 370
Luxembourg	Luxembourg franc	56 721	18 110
Monaco	French franc	8 195	2 719
Netherlands	Netherlands guilder	3 614	1 231
Switzerland	Swiss franc	2 718	1 211
United States of America and the rest of the world a/	United States dollar	1 400	500

a/ As a result of a review of currencies this will also include, as from 1 January 1995, Finland, Italy, Norway, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and Communauté financière africaine franc countries.